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05/29/2025

Jury Trial Scheduled

Scheduled For: 10/27/2025; 9:00 AM; CHRISTOPHER EDWARD MCGRAUGH; City of St. Louis

04/22/2025

Summons Issued-Circuit

Document ID: 25-SMCC-2265, for SSM HEALTH SAINT LOUIS UNIVERSITY HOSPITAL.

04/21/2025

Filing Info Sheet eFiling

Filed By: MARK EDWARD BLANKENSHIP

Entry of Appearance Filed

Entry of Appearance - JAO.

Filed By: MARK EDWARD BLANKENSHIP

On Behalf Of: MARY PITTS

Entry of Appearance Filed

Entry of Appearance - MEB.

Filed By: MARK EDWARD BLANKENSHIP

On Behalf Of: MARY PITTS

Motion Special Process Server

Request for Appointment of Process Server.

Filed By: MARK EDWARD BLANKENSHIP

On Behalf Of: MARY PITTS

Pet Filed in Circuit Ct

Petition; Ex 1; Ex 2; Ex 3; Ex 4; Ex 5; Ex 6; Ex 7.

Filed By: MARK EDWARD BLANKENSHIP

On Behalf Of: MARY PITTS



MISSOURI CIRCUIT COURT
TWENTY-SECOND JUDICIAL CIRCUIT
ST. LOUIS CITY CIRCUIT CLERK

MARY PITTS

Plaintiff

v.

SSM HEALTH SAINT LOUIS
UNIVERSITY HOSPITAL

Serve at:

**Manager on Duty
1201 S. Grand Blvd.,
St. Louis, MO 63104**

Defendant

Case No.

Div.

JURY TRIAL DEMANDED

PETITION

COMES NOW Plaintiff Mary Pitts by and through her undersigned attorney,
for her Petition states as follows:

1. Plaintiff Mary Pitts (Plaintiff Pitts”) is a resident of St. Charles County.
2. Defendant SSM Health Saint Louis University Hospital (“Defendant SLU Hospital”) is a hospital located in St Louis City.
3. Venue and subject matter jurisdiction are proper because the injury in question occurred in St. Louis City.

Facts Applicable to All Counts

4. Plaintiff Pitts has been an employee of SLU Hospital since June 10, 2019 and has worked in healthcare for over 35 years. Her hourly wage at SLU Hospital was \$17-23.
5. Overtime, Plaintiff Pitts began experiencing chronic and debilitating left knee pain.
6. Plaintiff Pitts underwent medical leave on or around November 17, 2021 for a total knee replacement.
7. On or around November 28, 2022, Plaintiff Pitts exhausted her FMLA, Extended Leave, or LOA as an accommodation.
8. On or around April 12, 2023, Pitts received the following email and letter from Human Resources Business Partner Rex Gould:

This letter is in follow up to the Leave Exhaustion notice sent on November 28, 2022 from Rex Gould-Human Resources Partner, which notified you that you had exhausted the available leave options (FMLA, Extended Leave, or LOA as an Accommodation) and asking you contact Human Resources no later than December 05, 2022 to discuss your employment status. You have not returned to work, nor have you contacted your Leader or Human Resources to provide an update regarding your return -to-work status. The Leave Exhaustion notice informed you that your job was no longer protected beyond the date of exhaustion, November 15, 2022. Notedly, as of April 12, 2023, you are not on an approved leave of absence, nor have you returned to work or contacted Human Resources or your leader. Your employment with SSM Saint Louis University Hospital will be terminated effective immediately.

See Exhibit 1, Rex Gould Letter – April 12, 2023.

9. On June 2, 2023, a subsequent email and letter from Gould was sent to Pitts, indicating that the April 12, 2023 correspondence was in error. However, she was informed that she needed to contact Gould by June 9, 2023 to discuss her employment status and to provide contact information for the person(s) with whom she was working with regarding leave of absence approval. See Exhibit 2, Rex Gould Email – June 2, 2023.
10. Pitts did provide him the following documentation via email on or around June 2, 2023 and via certified mail on or around June 5, 2023. See Exhibit 3, Documentation Submitted.
11. Furthermore, Pitts sent over two medical provider confirmation letters signed by Amy M. Buck, NP on June 9, 2023 and July 6, 2023. Both letters stated the following:

Mary Veronica Pitts was seen by AMY M. BUCK, NP at HSHS MEDICAL GROUP FAMILY AND SPORTS MEDICINE – O'FALLON . . . to discuss her chronic health issues and including her chronic left knee pain. I am working with her to rectify her situation related to her chronic knee pain and decreased mobility. This includes more intense physical therapy, and seeing an orthopedic at Washington University Hospital. I do not expect her to return to work while we are working on the above. I will see her back in the clinic in August to further evaluate her progress and develop a further plan.

See Exhibit 4, Amy M. Buck Letters.

12. Shortly after June 9, 2023, Plaintiff Pitts followed up via phone call or email multiple times to confirm whether Gould received her

documentation. Pitts also hand-delivered the documents to Gould as well.

13. On July 21, 2023, Plaintiff Pitts received the following email from Rex Gould:

As you have been previously informed, all of your available leave options were exhausted effective November 15, 2022, as such, your employment was not protected beyond that date. On or about June 09, 2023, you were asked to provide complete contact information for any individuals who could provide information regarding work restrictions that may be required for your return to work. To date you have not provided the requested complete contact information. Therefore, your employment with SSM Saint Louis University Hospital is being terminated effective July 19, 2023.

See Exhibit 5, Rex Gould Letter, July 21, 2023.

14. Plaintiff Pitts dual filed her Charge of Discrimination with the Missouri Commission on Human Rights (MCHR) and the Equal Employment Opportunity Commission (EEOC) on January 16, 2024. See Exhibit 6, Charge of Discrimination

15. Plaintiff Pitts obtained the Right to Sue on January 21, 2025. See Exhibit 7, Right to Sue Letter.

**COUNT I – AMERICAN’S WITH DISABILITIES ACT (ADA)
DISABILITY DISCRIMINATION: WRONGFUL TERMINATION**

COMES NOW Plaintiff Pitts, and for her claim of disability discrimination against Defendant SLU Hospital, states as follows:

16. Plaintiff Pitts adopts and reincorporates the above paragraphs as though fully set forth herein.

17. Plaintiff Pitts, is a member of a protected class on the basis of her disability.

18. Plaintiff Pitts is an individual with a physical or mental impairment that substantially limits one or more of that person's major life activities, an individual who has a record of such an impairment, or an individual who is regarded as having such an impairment.

19. Plaintiff Pitts is a qualified individual under the ADA.

20. Defendant SLU Hospital received Plaintiff Pitts' work restrictions and refused to accommodate Plaintiff's disability by terminating her employment.

21. Plaintiff Pitts suffered an adverse employment action by Defendant SLU Hospital because of her disability.

22. As a direct and proximate result of Defendant SLU Hospital's actions and/or omissions, Plaintiff Pitts has been, and continues to be, deprived of monetary and non-monetary benefits.

23. As a direct and proximate result of Defendant SLU Hospital's actions and/or omissions, Plaintiff Pitts has suffered, and continues to suffer emotional distress and other non-medical bill-related compensatory damages.

WHEREFORE Plaintiff Pitts requests humbly that the Court enter judgment in her favor in excess of \$25,000.00, and set the case for trial by jury to assess compensatory damages arising from the discriminatory conduct of Defendant SLU

Hospital for attorney's fees and for any other relief as may be just and proper under the circumstances.

Respectfully submitted,

OTT LAW FIRM

/s/ Mark Edward Blankenship Jr.

Joseph A. Ott, #67889

Mark E. Blankenship Jr., #73123

3544 Oxford Blvd

Maplewood, MO 63143

Telephone: (314) 293-3756

Facsimile: (314) 689-0080

joe@ott.law

mark@ott.law

Attorneys for Plaintiff



Saint Louis University Hospital
1201 S. Grand Blvd.
St. Louis, MO 63104
phone: 314-257-2356

Through our exceptional
health care services,
we reveal the healing
presence of God.

Sent Via Email & U.S. Mail

April 12, 2023

Mary Pitts
1932 Sidney Street
Apartment A
St. Louis, MO 63104

jonnie.mitchell4@gmail.com

Re: LOA Exhaustion and Employment Status

Dear Mary,

This letter is in follow up to the Leave Exhaustion notice sent on November 28, 2022 from Rex Gould – Human Resources Partner, which notified you that you had exhausted the available leave options (FMLA, Extended Leave, or LOA as an Accommodation) and asking you contact Human Resources no later than December 05, 2022 to discuss your employment status. You have not returned to work, nor have you contacted your Leader or Human Resources to provide an update regarding your return-to-work status.

The Leave Exhaustion notice informed you that your job was no longer protected beyond the date of exhaustion, November 15, 2022. Notedly, as of April 12, 2023, you are not on an approved leave of absence, nor have you returned to work or contacted Human Resources or your leader. Your employment with SSM Saint Louis University Hospital will be terminated effective immediately.

If you should have any questions or concerns, please do not hesitate to contact the undersigned.

Sincerely,

A handwritten signature in black ink, appearing to read "Rex Gould".

Rex Gould
Human Resources Business Partner
SSM Health Saint Louis University Hospital
314-257-2343
Rex.gould@ssmhealth.com

Through our exceptional
health care services,
we reveal the healing
presence of God.



Saint Louis University Hospital
1201 S. Grand Blvd.
St. Louis, MO 63104
phone: 314-257-2356

SENT VIA EMAIL AND REGISTERED MAIL

June 2, 2023

Mary Pitts
1932 Sidney Street
Apartment A
St. Louis, MO 63104
jonnie.mitchell4@gmail.com

Re: LOA Exhaustion and Employment Status

Dear Mary,

On or about April 12, 2023, you were in receipt of a letter terminating your employment. Upon further review, the correspondence you received was in error. Please disregard the email communication and letter you received dated April 12, 2023, regarding your employment.

However, please be aware all of your available leave options were exhausted effective November 15, 2022, as such, your employment is not protected past that date. Recall, you spoke with Chelsea Brothers, Human Resources Business Partner on November 18, 2022, at which time you requested a new return to work date of May 2023. Subsequently, you were notified of your leave exhaustion via correspondence dated November 28, 2022, and were given a deadline of December 5, 2022, to discuss your employment status. At that time, you failed to contact the Hospital regarding your employment.

In a telephone conversation with Rex Gould on or about April 14, 2023, you communicated you were approved to return to work with restrictions. As a result, you were asked to provide contact information for the person(s) with whom you were working with regarding leave of absence approval during that conversation. To date, you have failed to provide any information in this regard.

It is imperative that we speak with you regarding your work status, as you have exhausted all available leave options (FMLA, SSM's Extended FMLA, or LOA as an Accommodation) and have not returned to work. Please contact me directly via email or via phone no later than 3:00 p.m. on Friday, June 9th to discuss your employment status. If I do not hear from you on or before June 9th, your employment with SSM Saint Louis University Hospital will be terminated pursuant to Article 4.A.3 of the SEIU collective bargaining agreement.

If you should have any questions or concerns, please do not hesitate to contact me.

Sincerely,

Rex Gould

Human Resources Business Partner
SSM Health – St. Louis University Hospital
Rex.gould@ssmhealth.com
314-257-2343

16

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mary P. Hs
1932 Sidney St.
Apt A
St. Louis, MO 63104



9590 9402 2467 6306 7943 49

2. Article Number (Transfer from reverse label)

7022 2410 0002 586 9159

A. Signature

X

M. P. Hs

☐ Agent

☐ Address

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

June 2, 23 2:48
June 13, 23 4:51

3. Service Type

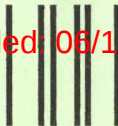
- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☐ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
- ☐ Insured Mail Restricted Delivery (over \$500)

- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Return Receipt for Merchandise
- ☐ Signature Confirmation
- ☐ Signature Confirmation Restricted Delivery

USPS TRACKING #



9590 9402 2467 6306 7943 49

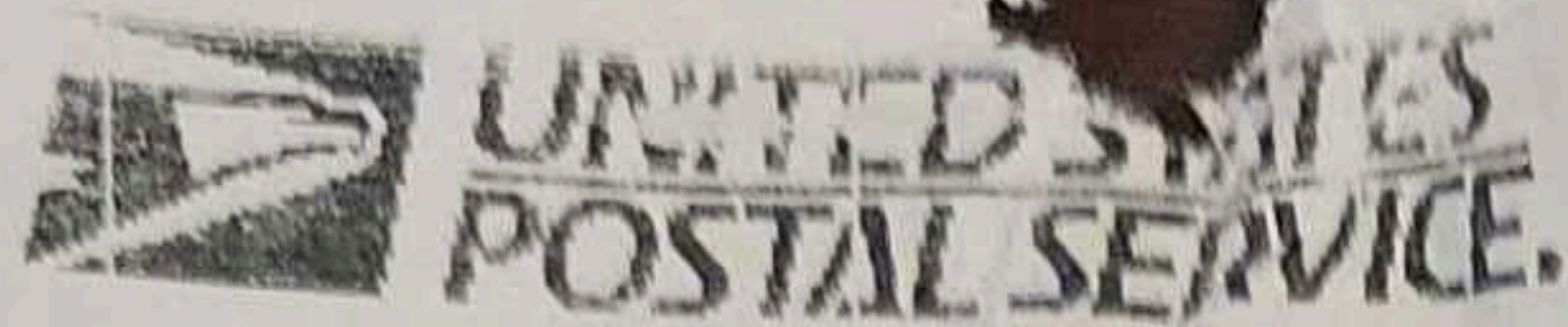


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United States
Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box •

Rex Gould
c/o Saint Louis University Hospital
1201 S. Grand Blvd
St. Louis, MO 63104



SAINT LOUIS
1720 MARKET ST RM 3035
SAINT LOUIS, MO 63155-9998
(800)275-8777

06/15/2023 05:06 PM

Product	Qty	Unit Price	Price
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First-Class Mail® Letter	1		\$0.87
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Saint Louis, MO 63104
Weight: 0 lb 1.20 oz
Estimated Delivery Date
Sat 06/17/2023

Certified Mail® \$4.15
Return Receipt \$3.35

Tracking #: 9590 9402 7713 2152 9476 33
Affixed Postage \$5.49
Affixed Amount: \$5.49

Total \$2.88

Grand Total: \$2.88

Cash \$3.00
Change -\$0.12

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Receipt #: 840-56300542-3-6786861-2
Clerk: 20



SAINT LOUIS
1720 MARKET ST RM 3035
SAINT LOUIS, MO 63155-9998
(800)275-8777

07:42 PM

06/13/2023

Product	Qty	Unit Price	Price
DocuMent 9.75x12.25	1	\$2.09	\$2.09
S&S 12.25x9x17.625	2	\$4.99	\$9.98
First-Class Mail® Large Envelope	1		\$1.74

Saint Louis, MO 63104
Weight: 0 lb 2.60 oz
Estimated Delivery Date
Thu 06/15/2023

Certified Mail® \$4.15
Tracking #: 9589 0710 5270 0568 8391 63

Return Receipt \$3.35
Tracking #: 9590 9402 7713 2152 9397 13

Total \$9.24

Grand Total: \$21.31

Debit Card Remit \$21.31

Card Name: VISA
Account #: XXXXXXXXXX7839
Approval #: 427050
Transaction #: 268
Receipt #: 048523
Debit Card Purchase: \$21.31
AID: A0000000980840 Chip
AL: US DEBIT
PIN: Verified

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or call 1-800-410-7420.

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Receipt #: 840-56300542-4-6367430-2
Clerk: 85

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Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy) \$3.35

☐ Return Receipt (electronic) \$0.00

☐ Certified Mail Restricted Delivery \$0.00

☐ Adult Signature Required \$0.00

☐ Adult Signature Restricted Delivery \$0.00

Postage \$0.87

Total Postage and Fees \$5.02

Sent To: Alex Gould c/o St. Louis University Hospital

Street and Apt. No., or PO Box No. 1201 S Grand Blvd

City, State, ZIP+4® St. Louis MO 63104

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

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Saint Louis, MO 63104

Certified Mail Fee \$4.15

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy) \$3.35

☐ Return Receipt (electronic) \$0.00

☐ Certified Mail Restricted Delivery \$0.00

☐ Adult Signature Required \$0.00

☐ Adult Signature Restricted Delivery \$0.00

Postage \$1.74

Total Postage and Fees \$9.24

Sent To: Alex Gould c/o St. Louis University Hospital

Street and Apt. No., or PO Box No. 1201 S Grand Blvd

City, State, ZIP+4® St. Louis MO 63104

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

Mary Veronica Pitts
2/10/1961



HSHS Medical Group

HSHS Medical Group Family and Sports Medicine - O'Fallon
670 Pierce Blvd
O' Fallon IL 62269-1953
618-206-2070
AMY M BUCK, NP

7/6/2023

To Whom It May Concern:

Mary Veronica Pitts was seen by AMY M BUCK, NP at HSHS MEDICAL GROUP FAMILY AND SPORTS MEDICINE - O'FALLON on 7/6/2023 to discuss her chronic health issues and including her chronic left knee pain. I am working with her to rectify her situation related to her chronic knee pain and decreased mobility. This includes more intense physical therapy, and seeing an orthopedic at Washington University Hospital. I do not expect her to return to work while we are working on the above. I will see her back in the clinic in August to further evaluate her progress and develop a further plan.

Sincerely,



AMY M BUCK, NP

HSHS MEDICAL GROUP FAMILY AND SPORTS MEDICINE - O'FALLON

Mary Veronica Pitts
2/10/1961



HSHS Medical Group

HSHS Medical Group Family and Sports Medicine - O'Fallon
670 Pierce Blvd
O' Fallon IL 62269-1953
618-206-2070
AMY M BUCK, NP

6/9/2023

To Whom It May Concern:

Mary Veronica Pitts was seen by AMY M BUCK, NP at HSHS MEDICAL GROUP FAMILY AND SPORTS MEDICINE - O'FALLON on 6/9/2023 to discuss her chronic health issues and including her chronic left knee pain. I am working with her to rectify her situation related to her chronic knee pain and decreased mobility. This includes more intense physical therapy, finding a second opinion surgeon that will give her options to help her knee.

I do not expect her to return to work while we are working on the above.

I will see her back in the clinic in August to further evaluate her progress and develop a further plan.

Sincerely,



AMY M BUCK, NP

HSHS MEDICAL GROUP FAMILY AND SPORTS MEDICINE - O'FALLON

----- Forwarded message -----

From: **Gould, Rex** <Rex.Gould@ssmhealth.com>

Date: Fri, Jul 21, 2023, 9:13 AM

Subject: SLUH Separation Notice

To: jonnie.mitchell4@gmail.com <jonnie.mitchell4@gmail.com>

Dear Mary,

As you have been previously informed, all of your available leave options were exhausted effective November 15, 2022, as such, your employment was not protected beyond that date. On or about June 09, 2023, you were asked to provide complete contact information for any individuals who could provide information regarding work restrictions that may be required for your return to work. To date you have not provided the requested complete contact information. Therefore, your employment with SSM Saint Louis University Hospital is being terminated effective July 19, 2023.

If you have any questions, please contact me.

Rex Gould | Human Resources Partner
SSM Health Saint Louis University Hospital
1201 S. Grand Boulevard
St. Louis, MO 63104
314-257-2343
Rex.Gould@ssmhealth.com | ssmhealth.com



MISSOURI DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS

MISSOURI COMMISSION ON HUMAN RIGHTS

MIKE KEHOE
GOVERNOR

ANNA S. HUI
DEPARTMENT DIRECTOR

AL LI
COMMISSION CHAIR

ALISA WARREN, PH.D.
EXECUTIVE DIRECTOR

NOTICE THAT A COMPLAINT HAS BEEN FILED

January 15, 2025

Mary Pitts
1932 Sidney Street
Apt. A
St. Louis, MO 63104
Via Complainant Attorney Email: Mark@ott.law

RE: Pitts v SSM Health - Saint Louis University Hospital E-01/24-56638; 28E-2025-00257

This is to inform you the enclosed complaint alleging employment discrimination has been dually filed with the Missouri Commission on Human Rights (MCHR) and the federal Equal Employment Opportunity Commission (EEOC). **Please keep this letter for future reference.**

This complaint will be investigated by the EEOC. You are encouraged to cooperate fully in the investigation. An investigator from that agency will be in contact with you.

The Missouri Human Rights Act provides that you may request a right to sue letter. Such a letter would allow you to file suit in state court against the Respondent named in your complaint using your own resources. MCHR closes its case when it issues a right to sue letter.

If MCHR adopts EEOC's finding and closes your complaint, then you will not be able to get a right to sue letter from MCHR. If you want a right to sue letter, then you may request one in writing at any time. If you request a right to sue letter and MCHR has not completed its administrative processing of your complaint after it has been on file for over 180 days, then MCHR will issue your right to sue letter.

If you have any questions, please email: pittsvssmhealthsluhospitalz3370031@missouri-dolir.filevinegov.com. Thank you.

Enclosures: copy of complaint, General information Sheet

NOTICE OF STATUTE PROHIBITING RETALIATION

It shall be an unlawful practice for any employer, labor organization, or employment agency to discharge, expel, or otherwise discriminate against any person because he or she has opposed any practices forbidden under the law or because he or she has filed a complaint, testified, or assisted in any proceeding under Chapter 213, RSMo. as amended.



MISSOURI DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS

MISSOURI COMMISSION ON HUMAN RIGHTS

MIKE KEHOE
GOVERNOR

ANNA S. HUI
DEPARTMENT DIRECTOR

AL LI
COMMISSION CHAIR

ALISA WARREN, PH.D.
EXECUTIVE DIRECTOR

NOTICE THAT A COMPLAINT HAS BEEN FILED

January 15, 2025

Mark E. Blankenship Jr.
3544 Oxford Boulevard
Maplewood, MO 63143
Mark@ott.law

RE: Pitts v SSM Health - Saint Louis University Hospital E-01/24-56638; 28E-2025-00257

Dear Mark E. Blankenship:

This is to inform you the enclosed complaint alleging employment discrimination has been dually filed with the Missouri Commission on Human Rights (MCHR) and the federal Equal Employment Opportunity Commission (EEOC). Please keep this letter for future reference.

This complaint will be investigated by the EEOC. You are encouraged to cooperate fully in the investigation. An investigator from that agency will be in contact with you.

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If MCHR adopts EEOC's finding and closes your complaint, then you will not be able to get a right to sue letter from MCHR. If you want a right to sue letter, then you may request one in writing at any time. If you request a right to sue letter and MCHR has not completed its administrative processing of your complaint after it has been on file for over 180 days, then MCHR will issue your right to sue letter.

If you have any questions, please email: pittsvssmhealthsluhospitalz3370031@missouri-dolir.filevinegov.com. Thank you.

Enclosures: copy of complaint, General information Sheet

NOTICE OF STATUTE PROHIBITING RETALIATION

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*The Missouri Commission on Human Rights is an equal opportunity employer/program.
Auxiliary aides and services are available upon request to individuals with disabilities.*

EEOC Form 5 (11/09)

CHARGE OF DISCRIMINATION <small>This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.</small>		Charge Presented To: _____ Agency(ies) Charge No(s): _____	
		<input checked="" type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC	E-01/24-56638 28E-2025-00257
Missouri Human Rights Commission and EEOC <small>State or local Agency, if any</small>			
Name (indicate Mr., Ms., Mrs.) Mary Pitts		Home Phone (Incl. Area Code) (314) 590-3950	Date of Birth 02/10/1961
Street Address 1932 Sidney St. Apt. A		City, State and ZIP Code	
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against him or Others. (If more than two, list under PARTICULARS below.)			
Name SSM Health – SLU Hospital		No. Employees, Members 5,000+	Phone No. (Include Area Code) 1 (800) 252-4670
Street Address 1201 S. Grand Blvd., St. Louis, MO 63104		City, State and ZIP Code	
DISCRIMINATION BASED ON (Check appropriate box(es).)		FILED JAN 16 2024 Missouri Commission on Human Rights- SL	
<input type="checkbox"/> RACE <input type="checkbox"/> COLOR <input type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input type="checkbox"/> NATIONAL ORIGIN <input type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input checked="" type="checkbox"/> DISABILITY <input type="checkbox"/> GENETIC INFORMATION <input type="checkbox"/> OTHER (Specify) _____		DATE(S) DISCRIMINATION TOOK PLACE Earliest Latest 04/12/2023 07/19/2023 <input type="checkbox"/> CONTINUING ACTION	
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):			
<p>Mary Pitts has been an employee of SLU Hospital since June 10, 2019 and has worked in healthcare for over 35 years. Her hourly wage at SLU Hospital was \$17-23.</p> <p>Overtime, Pitts began experiencing chronic and debilitating left knee pain. Pitts underwent medical leave on or around November 17, 2021 for a total knee replacement. On or around November 28, 2022, Pitts exhausted her FMLA, Extended Leave, or LOA as an Accommodation.</p> <p>On or around April 12, 2023, Pitts received the following email and letter from Human Resources Business Partner Rex Gould:</p> <p><i>This letter is in follow up to the Leave Exhaustion notice sent on November 28, 2022 from Rex Gould-Human Resources Partner, which notified you that you had exhausted the available leave options (FMLA, Extended Leave, or LOA as an Accommodation) and asking you contact Human Resources no later than December 05, 2022 to discuss your employment status. You have not returned to work, nor have you contacted your Leader or Human Resources to provide an update regarding your return -to-work status. The Leave Exhaustion notice informed you that your job was no longer protected beyond the date of exhaustion, November 15, 2022. Notedly, as of April 12, 2023, you are not on an approved leave of absence, nor have you returned to work or contacted Human Resources or your leader. Your employment with SSM Saint Louis University Hospital will be terminated effective immediately.</i></p> <p>On June 2, 2023, a subsequent email and letter from Gould was sent to Pitts, indicating that the April 12, 2023 correspondence was in error. However, she was informed that she needed to contact Gould by June 9, 2023 to discuss her employment status and to provide contact information for the person(s) with whom she was working with regarding leave of absence approval.</p> <p>Pitts did provide him the following documentation via email on or around June 2, 2023 and via certified mail on or around June 5, 2023. Furthermore, Pitts sent over two medical provider confirmation letters signed by Amy M. Buck, NP on June 9, 2023 and July 6, 2023. Both letters stated the following:</p> <p><i>Mary Veronica Pitts was seen by AMY M. BUCK, NP at HSHS MEDICAL GROUP FAMILY AND SPORTS MEDICINE – O’FALLON . . . to discuss her chronic health issues and including her chronic left knee pain. I</i></p>			

am working with her to rectify her situation related to her chronic knee pain and decreased mobility. This includes more intense physical therapy, and seeing an orthopedic at Washington University Hospital. I do not expect her to return to work while we are working on the above. I will see her back in the clinic in August to further evaluate her progress and develop a further plan.

Shortly after June 9, 2023, Pitts followed up via phone call or email multiple times to confirm whether Gould received her documentation. Pitts also hand delivered the documents to Gould as well.

On July 21, 2023, Rex Gould, HR Partner at SLU Hospital provided the following email:

As you have been previously informed, all of your available leave options were exhausted effective November 15, 2022, as such, your employment was not protected beyond that date. On or about June 09, 2023, you were asked to provide complete contact information for any individuals who could provide information regarding work restrictions that may be required for your return to work. To date you have not provided the requested complete contact information. Therefore, your employment with SSM Saint Louis University Hospital is being terminated effective July 19, 2023.

Plaintiff asserts that she was wrongfully terminated and discriminated on the basis of her disability.

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change his address or phone number and I will cooperate fully with them in the processing of his charge in accordance with their procedures.	NOTARY – When necessary for State and Local Agency Requirements
<p>I declare under penalty of perjury that the above is true and correct.</p> <p><u>1/15/2024</u> <u>Mark Edward Bleahmstrup</u></p> <p>Date Charging Party Signature</p>	<p>I swear or affirm that I have read the above charge and that it is true to the best of his knowledge, information and belief.</p> <p>SIGNATURE OF COMPLAINANT</p> <p><u>MARY VERONICA PITTS</u></p> <p>MARY VERONICA PITTS (Jan 16, 2024 15:32 CST)</p> <p>SUBSCRIBED AND SWORN TO BEFORE him THIS DATE</p> <p>(month, day, year)</p> <p>16/01/2024</p>

FILED

JAN 16 2024

Missouri Commission on
Humans Rights- SL



EEOC Form 5 (11/09)

Final Audit Report

2024-01-16

Created:	2024-01-16
By:	Mark Blankenship (mark@ott.law)
Status:	Signed
Transaction ID:	CBJCHBCAABAAvuUyVu_5qETf9ZukCJrcHg6zMs_xyBdo

"EEOC Form 5 (11/09)" History

-  Document created by Mark Blankenship (mark@ott.law)
2024-01-16 - 9:28:29 PM GMT- IP address: 35.129.252.203
-  Document emailed to jonnie.mitchell4@gmail.com for signature
2024-01-16 - 9:28:33 PM GMT
-  Email viewed by jonnie.mitchell4@gmail.com
2024-01-16 - 9:29:18 PM GMT- IP address: 99.107.94.224
-  Signer jonnie.mitchell4@gmail.com entered name at signing as MARY VERONICA PITTS
2024-01-16 - 9:32:10 PM GMT- IP address: 99.107.94.224
-  Document e-signed by MARY VERONICA PITTS (jonnie.mitchell4@gmail.com)
Signature Date: 2024-01-16 - 9:32:12 PM GMT - Time Source: server- IP address: 99.107.94.224
-  Agreement completed.
2024-01-16 - 9:32:12 PM GMT

FILED

JAN 16 2024

Missouri Commission on
Humans Rights- SL



Adobe Acrobat Sign

**U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**

St Louis District Office
1222 Spruce, Room 8.100
St. Louis, MO 63103
(314)798-1960
Website: www.eeoc.gov

DISMISSAL AND NOTICE OF RIGHTS

(This Notice replaces EEOC FORMS 161, 161-A and 161-B)

Issued On: 01/21/2025

To: Mary Pitts
1932 Sidney Street Apt. A
Saint Louis, MO 63104

Re: Mary Pitts v. SSM Health - Saint Louis University Hospital
EEOC Charge Number: 28E-2025-00257

EEOC Representative and email: Joseph J. Wilson
State, Local & Tribal Program Manager
Joseph.Wilson@EEOC.gov

DISMISSAL OF CHARGE

The EEOC has granted your request for a Notice of Right to Sue, and more than 180 days have passed since the filing of this charge.

The EEOC is terminating its processing of this charge.

NOTICE OF YOUR RIGHT TO SUE

This is official notice from the EEOC of the dismissal of your charge and of your right to sue. If you choose to file a lawsuit against the respondent(s) on this charge under federal law in federal or state court, **your lawsuit must be filed WITHIN 90 DAYS of your receipt of this notice.** Receipt generally occurs on the date that you (or your representative) view this document. You should keep a record of the date you received this notice. Your right to sue based on this charge will be lost if you do not file a lawsuit in court within 90 days. (The time limit for filing a lawsuit based on a claim under state law may be different.)

Please retain this notice for your records.

On Behalf of the Commission:

Digitally Signed By: David Davis 1/21/2025

David Davis
District Director

cc: Andy Walkup
Interim General Counsel
Saint Louis University Hospital
1201 South Grand
Saint Louis, MO 63104

Mark Blankenship
Ott Law Firm
3544 Oxford Boulevard
Maplewood, MO 63143

INFORMATION RELATED TO FILING SUIT UNDER THE LAWS ENFORCED BY THE EEOC

(This information relates to filing suit in Federal or State court under Federal law. If you also plan to sue claiming violations of State law, please be aware that time limits may be shorter and other provisions of State law may be different than those described below.)

IMPORTANT TIME LIMITS – 90 DAYS TO FILE A LAWSUIT

If you choose to file a lawsuit against the respondent(s) named in the charge of discrimination, you must file a complaint in court **within 90 days of the date you receive this Notice**. Receipt generally means the date when you (or your representative) opened this email or mail. You should **keep a record of the date you received this notice**. Once this 90-day period has passed, your right to sue based on the charge referred to in this Notice will be lost. If you intend to consult an attorney, you should do so promptly. Give your attorney a copy of this Notice, and the record of your receiving it (email or envelope).

If your lawsuit includes a claim under the Equal Pay Act (EPA), you must file your complaint in court within 2 years (3 years for willful violations) of the date you did not receive equal pay. This time limit for filing an EPA lawsuit is separate from the 90-day filing period under Title VII, the ADA, GINA, the ADEA, or the PWFA referred to above. Therefore, if you also plan to sue under Title VII, the ADA, GINA, the ADEA or the PWFA, in addition to suing on the EPA claim, your lawsuit must be filed within 90 days of this Notice and within the 2- or 3-year EPA period.

Your lawsuit may be filed in U.S. District Court or a State court of competent jurisdiction. Whether you file in Federal or State court is a matter for you to decide after talking to your attorney. You must file a "complaint" that contains a short statement of the facts of your case which shows that you are entitled to relief. Filing this Notice is not enough. For more information about filing a lawsuit, go to <https://www.eeoc.gov/employees/lawsuit.cfm>.

ATTORNEY REPRESENTATION

For information about locating an attorney to represent you, go to:
<https://www.eeoc.gov/employees/lawsuit.cfm>.

In very limited circumstances, a U.S. District Court may appoint an attorney to represent individuals who demonstrate that they are financially unable to afford an attorney.

HOW TO REQUEST YOUR CHARGE FILE

To request a copy of your charge file, contact the Fair Employment Practices Agency that investigated your charge.

NOTICE OF RIGHTS UNDER THE ADA AMENDMENTS ACT OF 2008 (ADAAA)

The ADA was amended, effective January 1, 2009, to broaden the definitions of disability to make it easier for individuals to be covered under the ADA/ADAAA. A disability is still defined as (1) a physical or mental impairment that substantially limits one or more major life activities (actual disability); (2) a record of a substantially limiting impairment; or (3) being regarded as having a disability. *However, these terms are redefined, and it is easier to be covered under the new law.*

If you plan to retain an attorney to assist you with your ADA claim, we recommend that you share this information with your attorney and suggest that he or she consult the amended regulations and appendix, and other ADA related publications, available at:

http://www.eeoc.gov/laws/types/disability_regulations.cfm.

“Actual” disability or a “record of” a disability

If you are pursuing a failure to accommodate claim you must meet the standards for either “actual” or “record of” a disability:

- ✓ **The limitations from the impairment no longer must be severe or significant** for the impairment to be considered substantially limiting.
- ✓ In addition to activities such as performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, thinking, concentrating, reading, bending, and communicating (more examples at 29 C.F.R. § 1630.2(i)), **“major life activities” now include the operation of major bodily functions**, such as: functions of the immune system, special sense organs and skin; normal cell growth; and digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine, hemic, lymphatic, musculoskeletal, and reproductive functions; or the operation of an individual organ within a body system.
- ✓ **Only one** major life activity need be substantially limited.
- ✓ Except for ordinary eyeglasses or contact lenses, the beneficial effects of **“mitigating measures”** (e.g., hearing aid, prosthesis, medication, therapy, behavioral modifications) **are not considered** in determining if the impairment substantially limits a major life activity.
- ✓ An impairment that is **“episodic”** (e.g., epilepsy, depression, multiple sclerosis) or **“in remission”** (e.g., cancer) is a disability if it **would be substantially limiting when active**.
- ✓ An impairment **may be substantially limiting even though** it lasts or is expected to last **fewer than six months**.

“Regarded as” coverage

An individual can meet the definition of disability if an **employment action was taken because of an actual or perceived impairment** (e.g., refusal to hire, demotion, placement on involuntary leave, termination, exclusion for failure to meet a qualification standard, harassment, or denial of any other term, condition, or privilege of employment).

- ✓ “Regarded as” coverage under the ADAAA no longer requires that an impairment be substantially limiting, or that the employer perceives the impairment to be substantially limiting.
- ✓ The employer has a defense against a “regarded as” claim only when the impairment at issue is objectively **both** transitory (lasting or expected to last six months or less) **and** minor.
- ✓ A person is not able to bring a failure to accommodate claim **if** the individual is covered only under the “regarded as” definition of “disability”.

Note: Although the amended ADA states that the definition of disability “shall be construed broadly” and “should not demand extensive analysis,” some courts require specificity in the complaint explaining how an impairment substantially limits a major life activity or what facts indicate the challenged employment action was because of the impairment. Beyond the initial pleading stage, some courts will require specific evidence to establish disability. For more information, consult the amended regulations and appendix, as well as explanatory publications, available at http://www.eeoc.gov/laws/types/disability_regulations.cfm.

In the
CIRCUIT COURT
City of St. Louis, Missouri



For File Stamp Only

Mary Pitts

Plaintiff/Petitioner

04/21/2025

Date

vs.

SSM Health Saint Louis University Hospital

Defendant/Respondent

Case number

Division

REQUEST FOR APPOINTMENT OF PROCESS SERVER

Comes now Yansel Nunez, pursuant

Requesting Party

to Local Rule 14, requests the appointment by the Circuit Clerk of
Tim Moore, St. Louis Pro-Serve

6614 Clayton Road #311

314-962-2222

Name of Process Server

Address

Telephone

Name of Process Server

Address

Telephone

Name of Process Server

Address

Telephone

to serve the summons and petition in this cause on the below named parties.

SERVE:

SSM Health Saint Louis University Hospital (Man:

Name

1201 S. Grand Blvd

Address

St. Louis, MO 63104

City/State/Zip

SERVE:

Name

Address

City/State/Zip

Appointed as requested:

TOM KLOEPPINGER, Circuit Clerk

By

Deputy Clerk

Date

SERVE:

Name

Address

City/State/Zip

SERVE:

Name

Address

City/State/Zip

/s/ Joseph Ott

Attorney/Plaintiff/Petitioner
67889

Bar No.
3544 Oxford Blvd, Maplewood, MO 63143

Address
314-293-3756

Phone No.

RULE 14 SPECIAL PROCESS SERVERS

1. Any person appointed by the Court or the Circuit Clerk to serve process must have a license issued pursuant to this rule to serve process.
2. Licenses to serve process shall be issued by the Sheriff of the City of St. Louis if the applicant has met the following qualifications:
 - a. Is twenty-one years of age or older;
 - b. Has a high school diploma or an equivalent level of education;
 - c. Has insurance coverage for any errors or omissions occurring in the service of process;
 - d. Has not been convicted, pleaded guilty to or been found guilty of any felony, or of any misdemeanor involving moral turpitude; and,
 - e. Has passed a training course for the service of process which shall be administered by the Sheriff of the City of St. Louis.
3. Each applicant for a process server license under the provisions of this rule shall provide an affidavit setting forth such person's legal name, current address, any other occupations and current telephone numbers. Licensed process servers shall immediately notify the Sheriff of the City of St. Louis of any change in the above information, and the failure to do so shall constitute good cause for the revocation of such person's license.
4. The Sheriff of the City of St. Louis shall maintain a list of persons licensed to serve process pursuant to this rule, and shall make such list available to litigants upon request.
5. A photo identification card designed by the Sheriff of the City of St. Louis shall be issued in addition to the license. No other identification will be allowed. All licenses must be signed and approved by the Sheriff of the City of St. Louis and the Presiding Judge or his designee.
6. A license fee recommended by the Sheriff and approved by the Court En Banc shall be charged to cover the costs of compiling and maintaining the list of process servers and for the training of such process servers. The license fees shall be made payable to the Sheriff of the City of St. Louis.

7. A license for service of process issued under this rule may be revoked by the Sheriff with the approval of the Presiding Judge or his designee, for any of the following reasons:

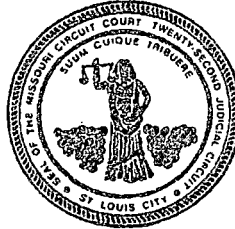
- a. Misrepresentation of duty or authority;
- b. Conviction, guilty plea or finding of guilty of any state or federal felony, or a misdemeanor involving moral turpitude;
- c. Improper use of the license;
- d. Making a false return; or
- e. Any other good cause.

Provided, no service of process made by an appointed process server with a revoked license shall be void if the Court or Circuit Clerk made the appointment in good faith without knowledge of the license revocation.

8. Any person authorized to serve process may carry a concealed firearm as allowed by Section 506.145, RSMo, only while actually engaged in the service of process and only if the person has passed a firearms qualification test approved by a law enforcement agency; provided, however, that any licensed special process server may file a written waiver of the right to carry a concealed firearm and thereby avoid the requirements of firearm training and testing. Any violation of this section shall be considered beyond the scope of the privilege to carry a concealed weapon that is granted by the appointment, and shall constitute good cause for the revocation of the license.
9. Applications for the appointment of a special process server shall be made on forms available in the offices of the Sheriff and Circuit Clerk. Orders Appointing special process servers may list more than one licensed server as alternatives.
10. The licenses granted pursuant to this rule shall be good for two years. Each person granted a license shall be required to reapply at the expiration of the license and shall be required to provide all the information required in the initial application, including a current police record check.

(Approved 9/28/92; amended 11/23/92; 5/31/95; 12/17/07)

In the
CIRCUIT COURT
City of St. Louis, Missouri



For File Stamp Only

Mary Pitts

Plaintiff/Petitioner

04/21/2025

Date

vs.

SSM Health Saint Louis University Hospital

Defendant/Respondent

Case number

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City/State/Zip

SERVE:

Name

Address

City/State/Zip

Appointed as requested:

TOM KLOERPINGER, Circuit Clerk

By

Deputy Clerk

Date

SERVE:

Name

Address

City/State/Zip

SERVE:

Name

Address

City/State/Zip

/s/ Joseph Ott

Attorney/Plaintiff/Petitioner
67889

Bar No.

3544 Oxford Blvd, Maplewood, MO 63143

Address

314-293-3756

Phone No.

MISSOURI CIRCUIT COURT
TWENTY-SECOND JUDICIAL CIRCUIT
ST. LOUIS CITY CIRCUIT CLERK

MARY PITTS

Plaintiff

v.

SSM HEALTH SAINT LOUIS
UNIVERSITY HOSPITAL

Defendant

Case No.

Div.

ENTRY OF APPEARANCE

COMES NOW Mark E. Blankenship Jr., an attorney at Ott Law Firm, and
hereby enters his appearance on behalf of Plaintiff in the above captioned matter.

Respectfully submitted,

OTT LAW FIRM

Mark Edward Blankenship Jr

Mark E. Blankenship Jr., #73123
3544 Oxford Blvd
Maplewood, MO 63143
Telephone: (314) 293-3756
Facsimile: (314) 689-0080
mark@ott.law
Attorneys for Plaintiff

MISSOURI CIRCUIT COURT
TWENTY-SECOND JUDICIAL CIRCUIT
ST. LOUIS CITY CIRCUIT CLERK

MARY PITTS

Plaintiff

v.

SSM HEALTH SAINT LOUIS
UNIVERSITY HOSPITAL

Defendant

Case No.

Div.

ENTRY OF APPEARANCE

COMES NOW Joseph A. Ott, an attorney at Ott Law Firm, and hereby
enters his appearance on behalf of Plaintiff in the above captioned matter.

Respectfully submitted,

OTT LAW FIRM



Joseph A. Ott, #67889
3544 Oxford Blvd
Maplewood, MO 63143
Telephone: (314) 293-3756
Facsimile: (314) 689-0080
joe@ott.law
Attorneys for Plaintiff



Summons in Civil Case

IN THE 22ND JUDICIAL CIRCUIT, CITY OF ST LOUIS, MISSOURI

Judge or Division: CHRISTOPHER EDWARD MCGRAUGH	Case Number: 2522-CC00728	(Date File Stamp for Return)
Plaintiff/Petitioner: MARY PITTS vs.	Plaintiff's/Petitioner's Attorney/Address MARK EDWARD BLANKENSHIP 3544 OXFORD BLVD MAPLEWOOD, MO 63143	
Defendant/Respondent: SSM HEALTH SAINT LOUIS UNIVERSITY HOSPITAL	Court Address: CIVIL COURTS BUILDING 10 N TUCKER BLVD SAINT LOUIS, MO 63101	
Nature of Suit: CC Other Tort		
The State of Missouri to: SSM HEALTH SAINT LOUIS UNIVERSITY HOSPITAL Alias: MANAGER ON DUTY 1201 S GRAND BLVD SAINT LOUIS, MO 63104		
		SPECIAL PROCESS SERVER

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for plaintiff/petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

COURT SEAL OF



CITY OF ST LOUIS

April 22, 2025
Date

Thomas J. Hays
Clerk

Further Information:

Officer's or Server's Return

Note to serving officer: Service should be returned to the court within 30 days after the date of issue.

I certify that I have served the above Summons by: (check one)

- ☐ delivering a copy of the summons and petition to the defendant/respondent.
- ☐ leaving a copy of the summons and petition at the dwelling house or usual place of abode of the defendant/respondent with _____, a person at least 18 years of age residing therein.
- ☐ (for service on a corporation) delivering a copy of the summons and petition to: _____ (name) _____ (title).
- ☐ other: _____.

Served at _____ (address)
in _____ (County/City of St. Louis), MO, on _____ (date)
at _____ (time).

Printed Name of Officer or Server

Signature of Officer or Server

Must be sworn before a notary public if not served by an authorized officer.

Subscribed and sworn to before me on _____ (date).

(Seal)

My commission expires: _____
Date Notary Public

Service Fees (if applicable)

Summons	\$ _____
Non Est	\$ _____
Sheriff's Deputy Salary	
Supplemental Surcharge	\$ 10.00
Mileage	\$ _____ (_____ miles @ \$._____ per mile)
Total	\$ _____

A copy of the summons and petition must be served on **each** defendant/respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.